Agenda - Council - March 23, 2005

Report - Standing Policy Committee on Downtown Development - February 28, 2005

Item No. 2 Street Closing - Part of Webb Place west of Vaughan Street
File DAC 29/2004

STANDING COMMITTEE RECOMMENDATION:

On March 16, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Downtown Development and submits the following to Council:

1. That the proposed street closing as shown on Misc. Plan No. 12475 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. 12475, subject to the approval of the Standing Policy Committee on Downtown 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 Downtown Development - February 28, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 28, 2005, the Standing Policy Committee on Downtown Development concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

PUBLIC HEARING SUMMARY

File:	DAC 29/2004
Before:	Standing Policy Committee on Downtown Development Councillor De Smedt, Chairperson Councillor Eadie Councillor Gerbasi Councillor Steeves
Public Hearing:	February 28, 2005 West Committee Room, Council Building 510 Main Street
Applicant:	North Portage Development Corporation
Premises Affected:	Part of Webb Place West of Vaughan Street
Exhibits Filed:	1. Report from the Real Property Officer dated February 21, 2005 2. Inspection Report

REPRESENTATIONS:

In Support:

Jeff Palmer, North Portage Development Corporation

In Opposition:

Nil

For the City:

Mr. H. Finnigan, Director of Planning, Property and Development

Exhibit "1" referred to in File DAC 29/2004

RE: DAC 29/2004 – PROPOSED CLOSING OF PART OF WEBB PLACE WEST OF VAUGHAN STREET

For submission to: The Standing Policy Committee on Downtown Development

Original report signed by: Director of Planning, Property and Development

Report date: February 21, 2005

Recommendations:

1. **That the proposed street closing as shown on Misc. Plan No. 12475 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. 12475, subject to the approval of the Standing Policy Committee on Downtown 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 applicant, the North Portage Development Corporation, wishes to purchase a portion of Webb Place approximately 10 feet in width between the north limit of the street and the sidewalk. The Corporation intends to build a condominium on the land between Booth College at 447 Webb and the Raleigh Apartments at 340 Vaughan. The closed street will be used as yard areas for the condominium and apartment block.

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):

- All costs associated with this proposal will be paid by the applicant. There are no financial implications for the City of Winnipeg.

REASON FOR THE REPORT:

All street and lane closings within the boundaries of the Downtown Winnipeg area, as defined by By-Law 4800/88, require the consideration of the Standing Policy Committee on Downtown Development.

HISTORY:

The Planning, Property and Development Department has received a request from the North Portage Development Corporation to purchase a portion of Webb Place approximately 10 feet in width between the north limit of the street and the sidewalk. The Corporation has recently received the zoning variance and conditional use permits (By-Law 100/2004) to allow the construction of a condominium on the land between Booth College at 447 Webb and the Raleigh Apartments at 340 Vaughan currently being used as a commercial parking lot. The Corporation owns the parking lot and the apartment block, and they intend to maintain the closed street as yard areas for the two buildings. They have no plans to construct within the closed street.

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing. The Transportation Division of the Public Works Department has stipulated that the south limit of the closing be 0.3 metres north of the public sidewalk.

Easement

Manitoba Hydro maintains an underground plant within a portion of the street being closed. The applicant will be required to enter into an easement agreement with Manitoba Hydro to allow access to this plant. No structures will be allowed within the easement 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.

Financial Impact Statement Date: February 7, 2005

COMMENTS:

All costs assocaited with this proposal will be borne by the applicant. There is no financial impact.

Mike McGinn
Manager of Finance

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

6016

Planning, Property and Development Department – Planning and Land Use, Geomatics and Zoning & Permits

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

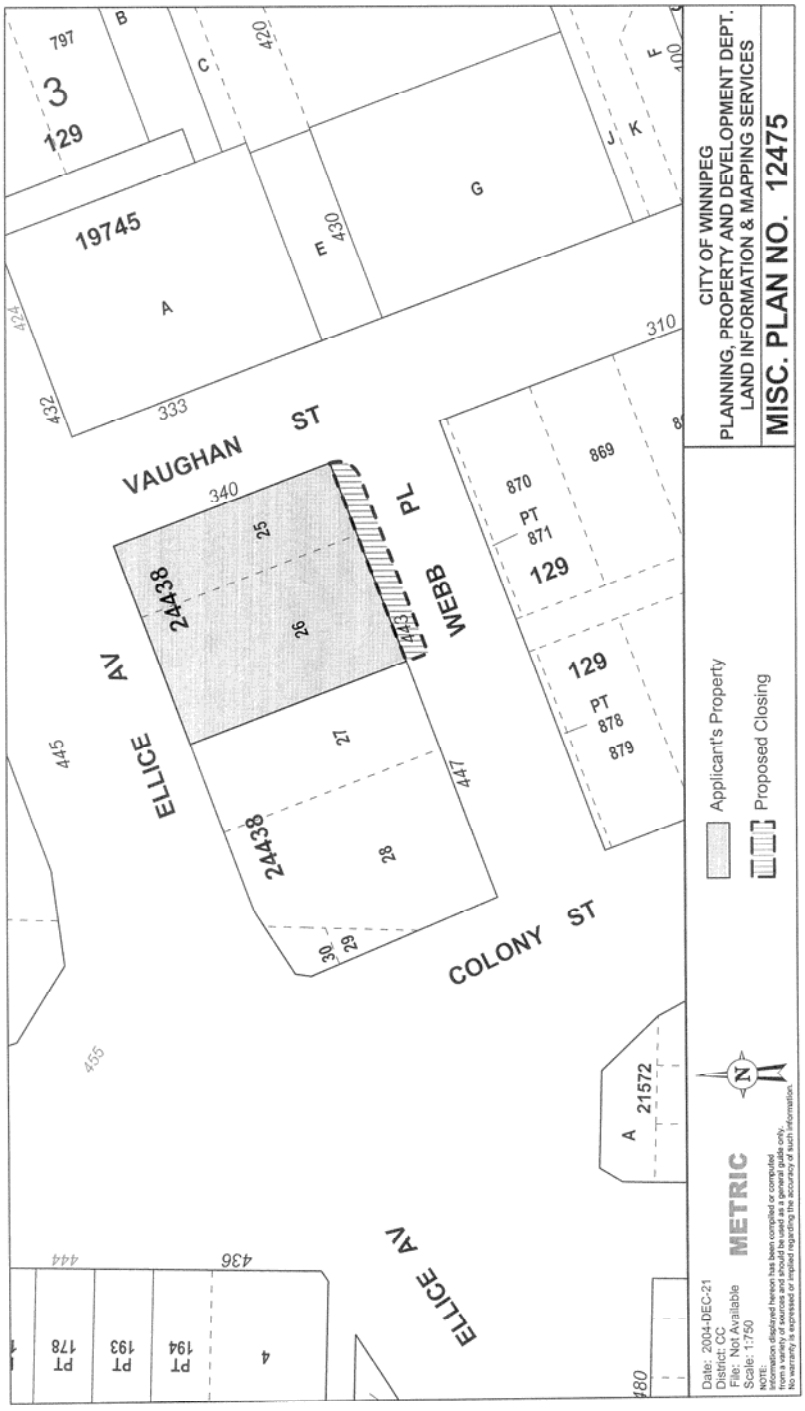
Water and Waste Department – Engineering Division

Manitoba Hydro, MTS Allstream, Centra Gas

Shaw Cable did not respond to requests 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 29/2004


CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12475
Applicant's Property
Proposed Closing
METRIC
Date: 2004-DEC-21
District: CC
File: Not Available
Scale: 1:750
VAUGHAN ST
ELLICE AV
WEBB PL
COLONY ST
24438
19745
21572
3
129
797
A
B
C
E
F
G
J
K
25
26
27
28
29
30
340
333
310
424
432
445
447
455
443
420
430
100
869
870
PT
871
878
879
444
436
480
PT 178
PT 193
PT 194
4

Site Pla

ELLICE AVENUE
WEBB SITE CONDOMINIUMS
BOOTH COLLEGE
RALEIGH APARTMENTS
VAUGHAN STREET
WEBB PLACE
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