Agenda – Council – April 27, 2005

Report – Executive Policy Committee – April 20, 2005

Item No. 2 Street Opening – Widening of Sargent Avenue at St. James Street File DAO 9/2004

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 20, 2005, the Executive Policy Committee concurred in the administrative recommendation and recommends to Council:

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with Schedule "A", Misc. Plan No. 12290/1.

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

Agenda – Council – April 27, 2005

Report – Executive Policy Committee – April 20, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 20, 2005, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

Re: DAO 9/2004 – PROPOSED WIDENING OF SARGENT AVENUE AT ST. JAMES STREET

For submission to: **Executive Policy Committee**

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

Report date: **April 12, 2005**

Recommendation(s):

1.That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with the attached Schedule "A", Misc. Plan No. 12290/1.

2. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REPORT SUMMARY

Key Issues:

- The street widening was approved by the Standing Policy Committee on Public Works on April 6, 2004.
- The land was acquired and the construction of the widening was completed in 2004.
- The legal documents required to effect the opening have now been prepared. The registration of these documents in the Winnipeg Land Titles Office will dedicate the land as a public street.

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:

The dedication of this property as public street requires a by-law pursuant to Section 139 of the City of Winnipeg Charter.

HISTORY:

In April of 2004, the Public Works Department requested that the Planning, Property and Development Department enter into negotiations with the owner of the lands at the north west corner of Sargent Avenue and St. James Street for the acquisition of the property required for the street widening shown on Misc. Plan No. 12290/1. The funding for the project was approved by the Standing Policy Committee on Public Works on April 6, 2004.

The land was acquired and the construction of the widening was completed in 2004.

The legal documents required to effect the opening have now been prepared. The registration of these documents in the Winnipeg Land Titles Office will dedicate the land as a public street.

DISCUSSION:

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

Financial Impact Statement

Date: 7-Apr-05

COMMENTS:

Funding for the registration of the documents required to effect the street widening has been budgeted by the Public Works Department. These costs are considered to be immaterial.

"Original signed by"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH:

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

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 #:5366

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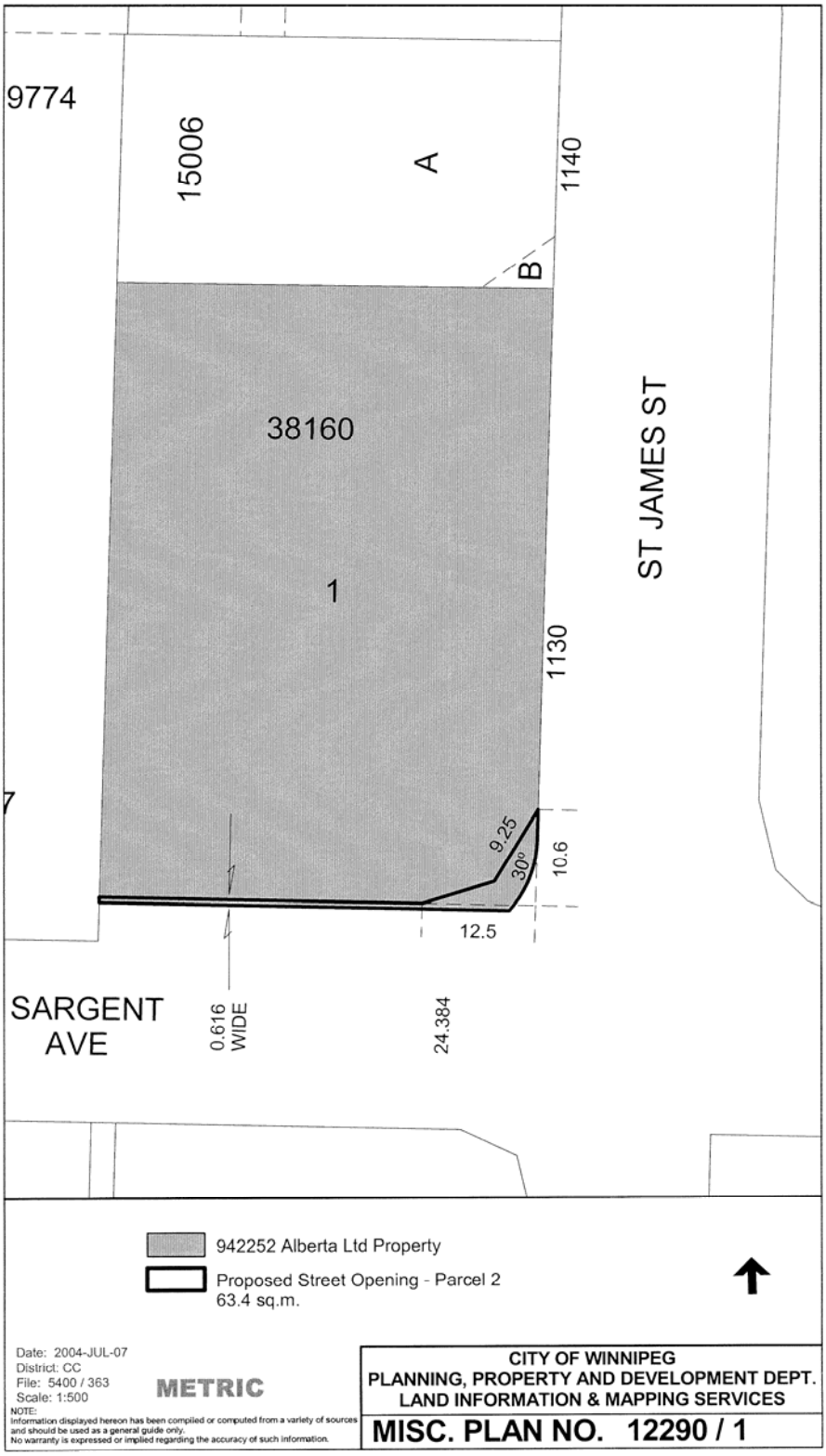
9774
15006
A
1140
B
38160
1
ST JAMES ST
1130
7
9.25
30°
10.6
12.5
SARGENT AVE
0.616 WIDE
24.384
942252 Alberta Ltd Property
Proposed Street Opening - Parcel 2
63.4 sq.m.
Date: 2004-JUL-07
District: CC
File: 5400 / 363
Scale: 1:500
METRIC
NOTE:
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No warranty 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. 12290 / 1